



महाराष्ट्र शासन राजपत्र

असाधारण प्राधिकृत प्रकाशन

वर्ष ३, अंक ३८]

शुक्रवार, जून १६, २०१७/ज्येष्ठ २६, शके १९३९

[पृष्ठे ११, किंमत : रुपये १८-००

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी प्रत्येक विभागाच्या पुरवणीला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग एक-अ—नागपूर विभागीय पुरवणी

(भाग ४-ब मध्ये प्रसिद्ध करण्यात आलेले आहेत त्यांव्यतिरिक्त) केवळ नागपूर विभागाशी संवंधित असलेले महाराष्ट्र जिल्हा परिषदा व पंचायत समित्या, ग्रामपंचायती, नगरपालिका वरो, जिल्हा नगरपालिका, प्राथमिक शिक्षण व स्थानिक निधी लेखापरीक्षा अधिनियम या अन्वये काढण्यात आलेले आदेश व अधिसूचना.

भाग १-अ (असा.)(ना.वि.पु.) म.शा.रा., अ.क्र. ११९.

नगर विकास विभाग

मंत्रालय, मुंबई - ४०० ०३२, दिनांक ९ जून, २०१७

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६.—

क्रमांक टिपीएस-२४१४-४७७-प्र.क्र.२४८-२०१४-नवि-९.—

ज्याअर्थी, नागपूर शहराची सुधारित विकास योजना, (यापुढे “उक्त विकास योजना” असे संबोधले आहे), महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ (१९६६ चा महा. ३७वा) (यापुढे “उक्त अधिनियम” असे संबोधले आहे), चे कलम ३१(१) अन्वये शासन, नगर विकास विभाग, अधिसूचना क्र. टिपीएस-२४९६-२६४३-प्र.क्र.३००(अ)-१७-नवि-९, दि. ७ जानेवारी, २००० अन्वये मंजूर झाली असून ती दि. १ मार्च, २००० पासून अंमलात आली आहे, तसेच नागपूर शहराची सुधारीत विकास योजना विकास नियंत्रण नियमावली शासन अधिसूचना, नगर विकास विभाग, क्र. टिपीएस-२४००-१६८४-प्र.क्र.२३५-२०१४-नवि-९, दि. ३१ मार्च, २००९ अन्वये मंजूर झाली असून ती दि. ९ एप्रिल, २००९ पासून अंमलात आली आहे. (यापुढे “उक्त विकास नियंत्रण नियमावली” असे संबोधले आहे);

आणि ज्याअर्थी, सूचना क्र. टिपीएस-२४१४-१४३-प्र.क्र.१८९-२०१४-नवि-९, दि. ६ सप्टेंबर, २०१४ नुसार नागपूर मेट्रो रेल्वेचे (यापुढे “उक्त मेट्रो रेल” असे संबोधले आहे), मार्गिका खालीलप्रमाणे निश्चित केली आहे ;

- (१) ॲटोमोटीव ते मिहान,
- (२) प्रजापतीनगर ते लोकमान्यनगर,

आणि ज्याअर्थी, नागपूर सुधार प्रन्यासने दिनांक ०५-०८-२०१४ चे पत्रान्वये शासनास उक्त मेट्रो रेल सह नागपूर शहराच्या विकास नियंत्रण नियमावली मध्ये अनुषंगिक फेरबदल (यापुढे “उक्त प्रस्ताव” असे संबोधले आहे) करण्याची विनंती केली आहे.

आणि ज्याअर्थी, लोकहिताचे दृष्टीने शहराच्या अस्तित्वातील विकास नियंत्रण नियमावलीमध्ये काही परिभाषांसह नविन तरतुद क्र. ४०, परिच्छेद “W” समाविष्ट करण्याचे आवश्यक असल्याचे शासनाचे मत झाले आहे ;

आणि ज्याअर्थी, उक्त तरतुदीच्या अनुंंगाने, उक्त विकास नियंत्रण नियमावलीत, नविन नियम क्र. ४० परिच्छेद 'W' समाविष्ट करणेबाबत (यापुढे “उक्त फेरबदल” असे संबोधले आहे) उक्त अधिनियमाच्या कलम ३७(१कक) अन्वये प्रदत्त असलेल्या अधिकारानुसार शासनाने नगर विकास विभाग, सूचना क्र. टिपीएस-२४१४-४७७-प्र.क्र.२४८-२०१४-नवि-९, दि. ३-१०-२०१५ अन्वये निर्गमित केली आहे. सदर सूचना महाराष्ट्र शासन राजपत्रात भाग एक-आ, नागपूर विभागीय पुरवणी दि. १५-२१ ऑक्टोबर २०१५, पृष्ठ क्र. १ ते ४ वर प्रसिद्ध झाली आहे. उक्त फेरबदलाबाबत विहित मुदतीत प्राप्त होणा-या सूचना/हरकतींवर सुनावणी देणेसाठी तसेच उक्त नमूद विहीत मुदत संपल्यानंतर ३० दिवसांच्या आत शासनास अहवाल सादर करण्यासाठी सह संचालक नगर रचना, नागपूर विभाग, नागपूर यांची “अधिकारी” म्हणून नियुक्ती करण्यात आली होती. (यापुढे “उक्त अधिकारी” असे संबोधले आहे) ;

आणि ज्याअर्थी, उक्त अधिकारी यांनी आपला अहवाल पत्र क्र. ३९५, दि. ५-२-२०१६ व ६२९, दि. १-४-२०१६ अन्वये सादर केला आहे ;

आणि ज्याअर्थी, उक्त अधिकारी यांच्या अहवालाचा विचार करून व संचालक नगर रचना, महाराष्ट्र राज्य, पुणे यांचेशी सल्लामसलत करून व चौकशी केल्यानंतर, उक्त फेरबदल मंजूर करणे आवश्यक असल्याचे शासनाचे मत झाले आहे ;

त्याअर्थी, आता, उक्त अधिनियमाचे कलम ३७ (१कक) (ग) अन्वये प्रदत्त अधिकारांचा वापर करून शासन,—

- (क) उक्त फेरबदलास, प्रस्तुत अधिसूचनेसोबत जोडलेल्या अनुसूची मध्ये नमूद केल्यानुसार मंजूरी देत आहे.
- (ख) प्रस्तुत मंजूर फेरबदल हा, प्रस्तुत अधिसूचना शासन राजपत्रात प्रसिद्ध झाल्याच्या दिनांकापासून अंमलात येईल.

प्रस्तुत अधिसूचना जनतेच्या अवलोकनार्थ खालील कार्यालयात कामकाजाच्या दिवशी कार्यालयीन वेळेत एक महिन्यापर्यंत उपलब्ध करून देण्यात यावी.

- (१) आयुक्त, नागपूर महानगरपालिका, नागपूर
- (२) सभापती, नागपूर सुधार प्रन्यास, नागपूर
- (३) विभागीय सह संचालक, नगर रचना, नागपूर विभाग, नागपूर.

SCHEDULE—'A'

1.1 Definitions : Regulation No. 2 of Principal DCR shall have following additional definitions,—

- (i) (2.5.1) **Atrium**—means a sky lighted naturally ventilated area in building, with no intermediate floor, often containing plants and used as circulation space or entrance foyer.
- (ii) (2.5.2) **Podium**—means a raised platform from surrounding area, generally used for vehicle parking & movement in a part of building and useable floors of building or buildings rest on it, accessible by vehicular ramp and steps for climbing.

SCHEDULE—'B'

Regulation No. 40

Special Regulations for Development/Redevelopment of building falling within Nagpur Metro Rail Corridor (NMRC)

Development/Redevelopment of building falling within Nagpur Metro Rail Corridor (NMRC) shall be governed by the Special Regulations mentioned in Appendix 'W'.

The date of implementation for these regulations shall be the date on which construction work of Metro Rail actually commences or the date on which this notification is published in Government Gazette, whichever is later.

SCHEDULE—'C'

APPENDIX 'W'

(See Regulation No. 40)

Special Regulations for Development/Redevelopment of building falling within Nagpur Metro Rail Corridor (NMRC)

1.1 Definitions :

(i) Nagpur Metro Rail Corridor (NMRC)

It is the area falling within 500mt. distance on either side of the Nagpur Metro Rail measured from its Centre line and also includes the area falling within 500 mt. distance from the longitudinal end of the last Metro Railway Station.

(ii) Base permissible FSI

It is the FSI that is otherwise permissible on any land with respect to zone shown as per the sanctioned development plan and the relevant provision of the Principal DCR excluding the TDR and the premium FSI, redevelopment incentive FSI that can be received.

(iii) Gross plot area

Gross Plot Area means total area of land after deducting area under reservation or deemed reservation like amenity space if any, area under D.P. Road and Road widening.

(iv) Principal DCR

DCR sanctioned by Govt. for Nagpur City *vide* Notification No. TPS-2400/1684/CR-1952/2000/UD-9, dated 31st March, 2001 and as amended from time to time.

1.2.1 Maximum Permissible FSI :

The maximum permissible total FSI in NMRC shall be 4.00 including the base permissible FSI, subject to condition that, the additional FSI over and above the base permissible FSI shall be allowed within the overall limit of maximum permissible FSI, as given in the Table below—

| Sr. No. | Minimum Road Width | Plot Area | Maximum Permissible FSI |
|---------|--------------------|----------------------|-------------------------|
| (1) | (2) | (3) | (4) |
| 1 | 9.00 mt. | Below 1000 sq. mt. | 2.00 |
| 2 | 9.00 mt. | 1000 sq.mt. or above | 3.00 |
| 3 | 12.00 mt. | 2000 sq.mt. or above | 3.50 |
| 4 | 15.00 mt. | 2000 sq.mt. or above | 4.00 |

Explanations :—

(1) The maximum permissible FSI as per the above Table shall be determined by satisfaction of both the criterias *viz.* Minimum Road width as well as plot area, Simultaneously. However in case, both these criterias are not satisfied simultaneously, the maximum permissible FSI shall be the minimum of that permissible against each of these two criterias, as illustrated below ;

(2) Land owner/Developer shall not have option to use TDR in NMRC.

Illustrations :—

Utilization of FSI

| Plot Area | Road width | | | |
|---------------------------------|----------------|---------------|----------------|----------------|
| | Less than 9mt. | 9 mt. & above | 12 mt. & above | 15 mt. & above |
| Below 1000 sq. mt. | Principal DCR | 2 | 2 | 2 |
| 1000 sq. mt. up to 2000 sq. mt. | Principal DCR | 3 | 3.5 | 3.5 |
| Above 2000 sq. mt. | Principal DCR | 3 | 3.5 | 4.0 |

1.2.2 *Premium to be Paid :*

Additional FSI over and above base permissible FSI of respective land use zones as per principal DCR, may be permitted on the payment of premium as may be decided by the Govt. from time to time.

(a) The additional FSI as prescribed in the Table under provision 1.2.1 above, in case of development/redevelopment proposed in the NMRC with minimum tenement density per hectare of the gross plot area as given below.—

Minimum Numbers of Tenements = Gross Plot Area x Maximum Proposed FSI for Residential use x 200 Tenement per Hector.

(b) However, subject to the provisions of regulation 1.3 herein below, if the tenement density proposed is less than that stipulated in the table under 1.2.2(a), the premium to be paid in that event the additional premium shall be paid as may be decided by the Govt. from time to time and such premium shall be chargeable on the total additional FSI to be availed beyond the base permissible FSI.

1.2.3 *Impact Assessment and Integrated Mobility Plan :*

Such additional FSI over and above the base permissible FSI, shall be granted by the Commissioner, Nagpur Municipal Corporation/Chairman, Nagpur Improvement Trust, after taking into account the Impact Assessment of the implementation of these regulations regarding the impact on the city and sector level infrastructure and amenities as well as traffic and environment on such NMRC. Such Impact Assessment shall also contain measures to be undertaken to mitigate its likely impact and the Action Plan for implementation of such measures in a time bound manner. It shall also contain Integrated Mobility Plan envisaging therein inter-linkages between different modes of mass transport, parking management, traffic management and pedestrianisation.

1.2.4 The maximum permissible FSI as given in Table under regulation 1.2.1 shall be calculated on the gross plot area.

1.2.5 In case of plot/plots falling partly within the NMRC, the FSI permissible shall be as follows, provided that the total area of the plot (plot falling within NMRC plus plot falling outside NMRC) shall be as prescribed in the table in regulation No. 1.2.1 :-

(i) Where 50% or more area of such plot/plots falls within NMRC, these regulations including FSI shall apply to the total area of such plot/plots.

(ii) Where less than 50% area of such plot/plots falls within NMRC, these regulations including FSI shall be applicable to the part of plot/plots falling within NMRC, whereas for the part of plot/plots falling outside NMRC, these regulations except provisions regarding FSI shall be applicable. The FSI permissible for the part falling outside NMRC shall be as per Principal Development Control Regulations.

1.2.6 Notwithstanding anything contained in any other provision of this DCR the Parking, Double height terraces up to 20% and 15% balconies not enclosed, Stair cases, Lift wells with machine rooms, Refuge areas, Voids, Service Floor & Entrance lobbies of the building in NMRC shall be free of FSI.

1.2.7 Notwithstanding anything contained in any other provisions of these regulations, TDR shall not be allowed to be received on the plots within NMRC, irrespective of its location in congested area/non congested area as per the Sanction Development Plan of Nagpur.

1.3 *Permissible mixed use in NMRC :*

Mixed use in the form of residential and commercial may be permissible on the residential plot in NMRC fronting on the road with of 12 mt. and above. And mix use on plot/plots in commercial zone in Nagpur Municipal Corporation shall be permissible as per the principal DCR and the maximum permissible FSI under these regulations shall be allowed on the payment of premium.

1.4 Other provisions regarding marginal open spaces shall be governed by the proposed height of structure, as given in the provisions 1.5 below and should conform to the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 (Maharashtra Act No. III of 2007) as amended from time to time. No building permission shall be issued without NOC of the Fire Officer. Other regulations regarding room sizes, apertures for light and ventilation shall be as per the principal DCR, 2000 in force.

1.5 *Marginal Spaces :*

| Sr. No. | Building Height | Side and Rear Margins | Remark |
|---------|----------------------------------|------------------------------------|---|
| (1) | (2) | (3) | (4) |
| a | 15.0 mt. and below | H/2-4 | Minimum 3.0 mt. for Residential Minimum 4.5 mt. for Commercial and Minimum 6.0 mt. for Special Buildings. |
| b | Above 15.0 mt. and upto 18.0 mt. | H/4 | Minimum 6.0 mt. for all Buildings. |
| c | 18.0 mt. and above | H/5 subject to Maximum 12.0 mt. | Minimum 6.0 mt. |

Note— However if Developer/Owners provides more than 12.00 mt. side and rear margins shall be permissible.

1.5.1 No projections shall be allowed in marginal spaces so that minimum 6 mt. marginal spaces remain free from all encumbrances for the movement of fire tenders. In case if ramp is necessary from accessibility, such ramp may be allowed after living 6 mt. clear margin.

1.5.2 For calculation of marginal distances the height of the parking floors (Maximum two floors above the Ground Level) shall not be taken in account, However, height of such parking floors will be counted towards the total height of the building for deciding the building as high rise building and for civil Aviation purpose.

1.5.3 Car lift/mechanical parking shall be permissible, as per Principal DCR as amended from time to time.

1.6 *Parking :*

Parking in the NMRC shall be provided as per the table given below.—

| Sr. No. | Occupancy | One parking space for every | Transit Oriented Development Influence Zone | | |
|---------|--|--|---|------------------------------|------------------------------|
| | | | Car | Scooter/ Motorcycle | Cycle |
| (1) | (2) | (3) | (4) | (5) | (6) |
| 1 | Residential | (a) (i) Tenements having carpet area. From 25 and upto 40 sq. mt. For 2 units above 40 and upto 60 sq. mt. For every unit above 60 and upto 80 sq. mt. For every unit above 80 sq. mt. | 0 1 1 1 | 1 1 1 2 | 2 2 2 1 |
| 2 | Govt. and Semi-Govt. Private business buildings. | 100 sq. mt. carpet area or fraction thereof | 1 | 2 | 2 |

Note— (i) Parking spaces for differently - abled persons shall be provided as per Indian Road Congress Code No. IRC 103:2012 in each new construction/development/re-development in the NMRC.

(ii) No on street parking shall be permissible, unless specifically allowed in the impact assessment and mobility report.

1.6.1 Incentive for providing Public Parking in the area falling within the radius of 200 mt. from the Metro Station.

If the owner/developer of the plot falling within the radius of 200 mt. from the Metro Station, is willing to provide Public Parking space over and above the parking spaces required as per the table given in regulation No. 1.6 of these regulations, the same shall be allowed and in that case the premium to be paid by such developer/owner as per regulation No.1.2.2 shall be reduced by the amount equal to the premium worked out for 25% of the area earmarked for such additional Public Parking space, subject to following conditions:—

(a) Such parking area shall be in the built-up form and shall be handed over to Planning Authority free of cost before granting the Occupation Certificate to the project. The Planning Authority should enter into an agreement with owner/developer for such parking space at the time of granting Commencement Certificate to the project. Such Public Parking area shall be clearly shown on the proposed building plan/lay-out and a condition to above effect shall be incorporated in the Commencement Certificate.

(b) The parking area shall have independent access from major road adjacent to the plot and with proper entry and exits.

(c) The parking area to be made available at individual site shall be at minimum 100sq.mt. at one place either at Ground floor/Stilt floor or first floor.

(d) The maximum parking area that can be provided shall be decided by the Commissioner, Nagpur Municipal Corporation/the Chairman, Nagpur Improvement Trust, as the case may be, on considering the location of such site and the parking requirement.

(e) A board showing the location of such public parking space should be displayed at suitable places by the Planning Authority.

(f) Area covered under such parking shall not be counted towards FSI consumption.

(g) Concerned land owner/developer/society/public company shall not be allowed to operate the public parking.

(h) The proposed development shall be further subject to such conditions as may be decided by the Municipal Commissioner/Chairman, NIT, as the case may be.

1.7 In case of development or redevelopment, proposed by the Authority/individual applicant/any other Planning Authority, from the edge of the Metro Rail, within 20 mt. distance from the Metro Rail, on its either side, the concerned Planning Authority *i.e.* Nagpur Improvement Trust/Nagpur Municipal Corporation before granting such permission for development/redevelopment shall seek prior NOC from the Nagpur Metro Railway Corporation Ltd. as required under the Metro Railways (Construction of Works) Act, 1978 from the point of view of safety of the Metro Railway and such other related matters.

1.8 In case of any conflict between these Special Regulations and any other Regulations of the DCR, the Special Regulations shall prevail for the NMRC.

1.9 No Compound wall/fencing shall be permissible on the boundary of plot fronting on road and 50% front marginal distance (subject to minimum of 3.0 mt.) shall be kept accessible and to be used as foot paths, for pedestrians. However, it shall be permissible for the applicant to construct/erect fencing, on the boundary, after leaving the space for pedestrians as specified above.

However for the plots situated on 9mt. and 12mt. wide Roads having 100% residential use therefore above rule shall not be made applicable.

1.9.1 Large wholesale stores, car dealer showrooms, warehouses/storages, auto service centers, Garages *etc.* shall not be permissible in NMRC.

1.9.2 Provision of Inclusive housing shall not be applicable in NMRC.

1.9.3 For Gunthewari development regularized under the provisions of Maharashtra Gunthewari Development Act, 2001 and falling in NMRC, seeking provisions for redevelopment, these regulations shall apply.

1.9.4 The width of passage shall be minimum 1.2 mt. for residential use & 2.0 mt. for commercial use.

सदर अधिसूचना शासनाच्या www.maharashtra.gov.in व नगर रचना संचालनालयाच्या www.dtp.maharashtra.gov.in या संकेतस्थळावर देखील उपलब्ध आहे.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने,

रा. शा. चौहान,
कक्ष अधिकारी.

भाग १-आ (असा.), (ना.वि.पु.). म.शा.रा., अ. क्र. १२०.

URBAN DEVELOPMENT DEPARTMENT
Mantralaya, Mumbai-400 032, Dated 9th June, 2017.

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966

No. TPS-2414-477-CR-248-2014-UD-9.—

Whereas, Revised Development Plan of Nagpur City has been sanctioned by the Government *vide* Urban Development Department's Notification No. TPS-2496-2643-CR-300(A)-97-UD-9, dated the 7th January, 2000 and has come into force with effect from the 1st March, 2000 (hereinafter referred to as "the said Development Plan") under Section 31 (1) of the Maharashtra Regional and Town Planning Act, 1966 (Mah. No. XXXVII of 1966) (hereinafter referred to as "the said Act") and also the Development Control Rules for the area within the jurisdiction of Nagpur Municipal Corporation have been sanctioned by the Government *vide* Urban Development Department's Notification No. TPS-2400-1684-CR-1952-2000-UD-9, dated the 31st March, 2001 and have come into force with effect from the 9th April, 2001 (hereinafter referred to as "the said DCRs");

And whereas, the State Govt. *vide* its Notice TPS-2414-153-CR-189-2014-UD-9 of 6th September, 2014 has notified the alignment of Nagpur Metro Rail (hereinafter referred to as the "said Metro Rail");

- (1) Automotive to Mihan
- (2) Prajapati Nagar to Lokmanya Nagar.

And whereas, NIT *vide* its letter of 5-8-2014 has requested State Government to carry out modification in Development Control Regulation of Nagpur City regarding development along the said Metro Rail (hereinafter referred to as "said proposal")

And whereas, Government felt it necessary in the public interest to incorporate definition and new regulation in this regard as Regulation No. 40, Appendix 'W' in the Development Control Regulations of Nagpur City;

And whereas, in the light of the above, under the powers conferred on it by Section 37(IAA) of the said Act the Government in Urban Development Department published a Notice No. TPS-2414-477-CR-248-2014-UD-9, dated 3-10-2015 to incorporate a New Rules No. 40, Appendix 'W' in the said Development Control Regulations (hereinafter referred to as "the said Modification") which appeared in the Maharashtra Government Gazette, Part 1-A, Nagpur Divisional at supplement on the 15-21/10/2015 at Page Nos. 1 to 4 and appointed the Joint Director of Town Planning, Nagpur Division, Nagpur as the officer (hereinafter referred to as "the said Officer") to hear suggestions/objections and submit his report to the Government within 30 days after expiry of above mentioned period ;

And whereas, the said Officer has submitted his report *vide* his letter Nos. 395, dated 5-2-2016 & 629, dated 1-4-2016 to the Government;

And whereas, after considering the report of the said Officer and consulting the Director of Town Planning, Maharashtra State, Pune and after making necessary enquiries, the Government is of the opinion that the said Modification should be sanctioned.

Now, therefore, in exercise of the powers conferred by sub-section (IAA) (C) of Section 37 of the said Act, the Government hereby—

- (a) Sanctions the said Modification as specifically described in the Schedule appended to this Notification.
- (b) Fixes the date of publication of this Notification in *Official Gazette* as the date of coming into force of the modification sanctioned *vide* this Notification.

A copy of this Notification shall be kept open for inspection by the general public during office hours in the offices on all working days for a period of one month :—

- (1) The Commissioner, Nagpur Municipal Corporation, Nagpur.
- (2) The Chairman, Nagpur Improvement Trust, Nagpur.
- (3) The Divisional Joint Director of Town Planning, Nagpur Division, Nagpur.

The Notice shall also be available on the Government's website at www.maharashtra.gov.in as well as on website of Director of Town Planning, Pune at www.dtp.maharashtra.gov.in.

SCHEDELE-‘A’

1.1 *Definitions* : Regulation No. 2 of Principal DCR shall have following additional definitions.

(i) (2.5.1) **Atrium**.— means a sky lighted naturally ventilated area in building, with no intermediate floors, often containing plants and used as circulation space or entrance foyer.

(ii) (2.5.2) **Podium**.— means a raised platform from surrounding area, generally used for vehicle parking & movement in a part of building and useable floors of building or buildings rest on it, accessible by vehicular ramp and steps for climbing.

SCHEDELE-‘B’

Regulation No. 40

Special regulations for Development/Redevelopment of building falling within
Nagpur Metro Rail Corridor (NMRC)

Development/Redevelopment of building falling within Nagpur Metro Rail Corridor (NMRC) shall be governed by the Special Regulations mentioned in Appendix ‘W’.

The date of implementation for these regulations shall be the date on which construction work of Metro Rail actually commences or the date on which this notification is published in Government Gazette, whichever is later.

SCHEDELE-‘C’

APPENDIX ‘W’

(See Regulation No. 40)

Special regulations for Development/Redevelopment of building falling within
Nagpur Metro Rail Corridor (NMRC)

1.1 *Definitions* :

(i) **Nagpur Metro Rail Corridor (NMRC)** :— It is the area falling within 500 mt. distance on either side of the Nagpur Metro Rail measured from its Centre line and also includes the area falling within 500 mt. distance from the longitudinal end of the last Metro Railway Station.

(ii) **Base Permissible FSI** :— It is the FSI that is otherwise permissible on any land with respect to zone shown as per the sanctioned development plan and the relevant provision of the Principal DCR excluding the TDR and the premium FSI, redevelopment incentive FSI that can be received.

(iii) **Gross Plot Area** :— Gross Plot Area means total area of land after deducting area under reservation or deemed reservation like amenity space if any, area under D. P. Road and Road widening.

(iv) **Principal DCR** :— DCR sanctioned by Government for Nagpur City *vide* Notification No. TPS-2400-1684-CR-1952-2000-UD-9, dated 31st March, 2001 and as amended from time to time.

1.2.1 *Maximum Permissible FSI* :

The maximum permissible total FSI in NMRC shall be 4.00 including the base permissible FSI, subject to condition that, the additional FSI over and above the base permissible FSI, shall be allowed within the overall limit of maximum permissible FSI. as given in the table below :—

| Sr. No. | Minimum Road Width (2) | Plot Area (3) | Maximum permissible FSI (4) |
|------------|------------------------------|-----------------------|-----------------------------------|
| 1 | 9.00 mt. | Below 1000 sq. Mt. | 2.00 |
| 2 | 9.00 mt. | 1000 sq. mt. or above | 3.00 |
| 3 | 12.00 mt. | 2000 sq. mt. or above | 3.50 |
| 4 | 15.00 mt. | 2000 sq. mt. or above | 4.00 |

Explanation :—(1) The maximum permissible FSI as per the above Table shall be determined by satisfaction of both the criterias *viz.* Minimum Road width as well as plot area, simultaneously. However, in case both these criterias are not satisfied simultaneously, the maximum permissible FSI shall be the minimum of that permissible against each of these two criterias, as illustrated below ;

(2) Land owner/Developer shall not have option to use TDR in NMRC.

Illustrations :

| Plot Area | Utilization of FSI | | | |
|--------------------------------|--------------------|---------------|----------------|------------------------------|
| | Less than 9 mt. | 9 mt. & above | 12 mt. & above | Road width 15 mt. & above |
| (1) | (2) | (3) | (4) | (5) |
| below 1000 sq. mt. | Principal DCR | 2 | 2 | 2 |
| 1000 sq. mt. up to 2000 sq.mt. | Principal DCR | 3 | 3.5 | 3.5 |
| Above 2000 sq. mt. | Principal DCR | 3 | 3.5 | 4.0 |

1.2.2 Premium to be paid :

Additional FSI over and above base permissible FSI of respective land use zones as per principal DCR, may be permitted on the payment of premium as may be decided by the Govt. from time to time.

(a) The additional FSI as prescribed in the Table under provision 1.2.1 above, in case of development/redevelopment proposed in the NMRC with minimum tenement density per hectare of the gross plot area as given below.

Minimum Numbers of Tenements = Gross Plot Area x Maximum Proposed FSI for Residential use x 200 Tenement per Hectare.

(b) However, subject to the provisions of regulation 1.3 herein below, if the tenement density proposed is less than that stipulated in the table under 1.2.2(a), the premium to be paid in that event the additional premium shall be paid as may be decided by the Govt. from time to time and such premium shall be chargeable on the total additional FSI to be availed beyond the base permissible FSI.

1.2.3 Impact Assessment and Integrated Mobility Plan

Such additional FSI over and above the base permissible FSI, shall be granted by the Commissioner, Nagpur Municipal Corporation/Chairman, Nagpur Improvement Trust, after taking into account the Impact Assessment of the implementation of these regulations regarding the impact on the city and sector level infrastructure and amenities as well as traffic and environment on such NMRC. Such Impact Assessment shall also contain measures to be undertaken to mitigate its likely impact and the Action Plan for implementation of such measures in a time bound manner. It shall also contain Integrated Mobility Plan envisaging therein inter-linkages between different modes of mass transport, parking management, traffic management and pedestrianisation.

1.2.4 The maximum permissible FSI as given in Table under regulation 1.2.1 shall be calculated on the gross plot area.

1.2.5 In case of plot/plots falling partly within the NMRC, the FSI permissible shall be as follows, provided that the total area of the plot (plot falling within NMRC plus plot falling outside NMRC) shall be as prescribed in the table in regulation No. 1.2.1

(i) Where 50% or more area of such plot/plots falls within NMRC, these regulations including, FSI shall apply to the total area of such plot/plots.

(ii) Where less than 50% area of such plot/plots falls within NMRC, these regulations including FSI shall be applicable to the part of plot/plots falling within NMRC, whereas for the part of plot/plots falling outside NMRC, these regulations except provisions regarding FSI shall be applicable. The FSI permissible for the part falling outside NMRC shall be as per Principal Development Control Regulations.

1.2.6 Notwithstanding anything contained in any other provision of this DCR the Parking, Double height terraces up to 20% and 15% balconies not enclosed, Stair cases, Lift Wells with machine rooms, Refuge areas, Voids, Service Floor & Entrance lobbies of the building in NMRC shall be free of FSI.

1.2.7 Notwithstanding anything contained in any other provisions of these regulations, TDR shall not be allowed to be received on the plots within NMRC, irrespective of its location in congested area/non congested area as per the Sanction Development Plan of Nagpur.

1.3 Permissible mixed use in NMRC :

Mixed use in the form of residential and commercial may be permissible on the residential plot in NMRC fronting on the road width of 12 mt. and above. And mix use on plot/plots in commercial zone in Nagpur Municipal Corporation shall be permissible as per the principal DCR and the maximum permissible FSI under these regulations shall be allowed on the payment of premium.

1.4 Other provision regarding marginal open spaces shall be governed by the proposed height of structure, as given in the provisions 1.5 below and should conform to the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 (Mah. Act No. III of 2007) as amended from time to time. No building permission shall be issued without NOC of the Fire Officer. Other regulations regarding room sizes, apertures for light and ventilation shall be as per the principal DCR, 2000 in force.

1.5 Marginal Spaces

| Sr. No. | Building Height | Side and Rear Margins | Remark |
|---------|----------------------------------|---------------------------------|---|
| (1) | (2) | (3) | (4) |
| a | 15.0 mt. and below | H/2-4 | Minimum 3.0 mt. for Residential minimum 4.5 mt. for Commercial and Minimum 6.0 mt. for Special Buildings. |
| b | Above 15.0 mt. and upto 18.0 mt. | H/4 | Minimum 6.0 mt. for all Buildings. |
| c | 18.0 mt. and above | H/5 subject to Maximum 12.0 mt. | Minimum 6.0 mt. |

Note :– However if Developer/Owners provides more than 12.00 mt. side and rear margins shall be permissible.

1.5.1 No projections shall be allowed in marginal spaces so that minimum 6 mt. marginal spaces remain free from all encumbrances for the movement of fire tenders. In case if ramp is necessary from accessibility, such ramp may be allowed after living 6 mt. clear margin,

1.5.2 For calculation of marginal distances the height of the parking floors (Maximum two floors above the Ground Level) shall not be taken in account, However height of such parking floors will be counted towards the total height of the building for deciding the building as high rise building and for Civil Aviation purpose.

1.5.3 Car lift/mechanical parking shall be permissible, as per Principal DCR as amended from time to time.

1.6 **Parking** :– Parking in the NMRC shall be provided as per the table given below.

| Sr. No. | Occupancy | One parking space for every | Transit Oriented Development | | |
|---------|--|--|------------------------------|---------------------|------------------|
| | | | Car | Scooter/ Motorcycle | Cycle |
| 1 | Residential | (a) (i) Tenement having Carpet area From 25 and upto 40 Sq. mt. For 2 units above 40 and upto 60 sq. mt. For every unit above 60 and upto 80 sq. mt. For every unit above 80 sq. mt. | 0 1 1 1 | 1 1 1 2 | 2 2 2 1 |
| 2 | Govt. & Semi Govt. Private business buildings. | 100 sq. mt. carpet area or fraction thereof | 1 | 2 | 2 |

Note :– (i) Parking spaces for differently-abled persons shall be provided as per Indian Road Congress Code No. IRC 103:2012 in each new construction/development/re-development in the NMRC.

(ii) No on street parking shall be permissible, unless specifically allowed in the impact assessment and mobility report.

1.6.1 Incentive for providing Public Parking in the area falling within the radius of 200 mt. from the Metro Station.

If the owner/developer of the plot falling within the radius of 200 mt. from the Metro Station, is willing to provide Public Parking space over and above the parking spaces required as per the table given in regulation No. 1.6 of these regulations, the same shall be allowed and in that case the premium to be paid by such developer/owner as per regulation No. 1.2.2 shall be reduced by the amount equal to the premium worked out for 25% of the area earmarked for such additional Public Parking space, subject to following conditions:–

(a) Such parking area shall be in the built-up form and shall be handed over to Planning Authority free of cost before granting the Occupation Certificate to the project. The Planning Authority should enter into an agreement with owner/developer for such parking space at the time of granting Commencement Certificate to the project. Such Public Parking area shall be clearly shown on the proposed building plan/layout and a condition to above effect shall be incorporated in the Commencement Certificate.

- (b) The parking area shall have independent access from major road adjacent to the plot and with proper entry and exits.
- (c) The parking area to be made available at individual site shall be at minimum 100 sq. mt. at one place either at Ground floor/Stilt floor or first floor.
- (d) The maximum parking area that can be provided shall be decided by the Commissioner, Nagpur Municipal Corporation/the Chairman, Nagpur Improvement Trust, as the case may be, on considering the location of such site and the parking requirement.
- (e) A board showing the location of such public parking space should be displayed at suitable places by the Planning Authority.
- (f) Area covered under such parking shall not be counted towards FSI consumption.
- (g) Concerned land owner/developer/society/public company shall not be allowed to operate the public parking.
- (h) The proposed development shall be further subject to such conditions as may be decided by the Municipal Commissioner/Chairman, NIT, as the case may be.

1.7 In case of development or redevelopment, proposed by the Authority/individual applicant/any other Planning Authority, from the edge of the Metro Rail, within 20 mt. distance from the Metro Rail, on its either side, the concerned Planning Authority *i. e.* Nagpur Improvement Trust/Nagpur Municipal Corporation before granting such permission for development/redevelopment shall seek prior NOC from the Nagpur Metro Railway Corporation Ltd. as required under the Metro Railways (Construction of Works) Act, 1978 from the point of view of safety of the Metro Railway and such other related matters.

1.8 In case of any conflict between these Special Regulations and any other Regulation/s of the DCR, the Special Regulations shall prevail for the NMRC.

1.9 No Compound wall/fencing shall be permissible on the boundary of plot fronting on road and 50% front marginal distance (subject to minimum of 3.0 mt.) shall be kept accessible and to be used as foot paths, for pedestrians. However, it shall be permissible for the applicant to construct/erect fencing, on the boundary, after leaving the space for pedestrians as specified above.

However for the plots situated on 9 mt. and 12 mt. wide Roads having 100% residential use therefore above rule shall not be made applicable.

- 1.9.1 Large wholesale stores, car dealer showrooms, warehouses/storages, auto service centers, Garages etc. shall not be permissible in NMRC.
- 1.9.2 Provision of Inclusive housing shall not be applicable in NMRC.
- 1.9.3 For Gunthewari development regularized under the provisions of Maharashtra Gunthewari Development Act, 2001 and falling in NMRC, seeking provisions for redevelopment, these regulations shall apply.
- 1.9.4 The width of passage shall be minimum 1.2 mt. for residential use and 2.0 mt. for commercial use.

By Order and in the name of the Governor of Maharashtra,

R. S. CHOUHAN,
Desk Officer.